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Returning State Department Files

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A lapse of security at the State Department has stirred a disagreement over journalistic ethics. At issue are the actions of a Washington, D.C., newscaster who was offered a treasure trove of top-secret documents and—intending to protect national security—returned them to the government without reporting on them.

This journalistic chance of a lifetime came about because last summer the State Department sent some filing cabinets to the District of Columbia prison at Lorton, Va., for refurbishing and inadvertently forgot to empty one cabinet of its highly sensitive contents.

Around the middle of October—no one at the station even recalls the date—WTTG, Channel 5 in Washington, received a call from some inmates at the prison who said they had the documents and wanted to turn them over to James Adams, a Channel 5 reporter. Mr. Adams had reported about the prison, and the inmates said they trusted his fairness. But Mr. Adams didn't jump at the story the way many reporters would have. In fact, it took repeated phone calls over the next three weeks to persuade him to come collect the documents. And then, in a move likely to ignite many debates in journalistic circles, he returned the documents to the government without reporting their contents or copying them.

"I didn't want to have a role in compromising national security," he says. "I kept asking myself the question, what good would it do? A number of news organizations have called, not believing that we did not copy them. [They say], 'You're giving gold away.' They keep wondering when we are going to reveal what was in them. We are not going to. There was nothing in them that would have done the public any good."

Mr. Adams identifies the contents as "telexes from embassies around the world, communications from CIA agents, sources in foreign embassies around the world." His boss, news director Betty Endicott, who shared his decision to give the documents back to the government, says only that they "dealt with Soviet missiles, the Druse in Lebanon, the border situation in Nicaragua [and] the monitoring of a potential coup in the Third World," among other things. This much, and no more. She says, has been revealed to the station's viewers.

Actually, by the time Mr. Adams got around to collecting the documents, most of those that had originally been sent to Lorton were already back at the State Department. The department had been alerted by a mysterious phone call and immediately collected what it thought were

all the missing files. The department says this happened Oct. 25, a prison spokesman says Oct. 15. Neither the department nor the prison will say whether the call came from an inmate or a prison official.

Story of the Leak

In any event, Charles Cox, an inmate Mr. Adams had interviewed earlier, called the station claiming he still had some documents. Mr. Cox is serving a total of 17 to 51 years for armed robbery, rape while armed, burglary while armed and sodomy. According to Mr. Adams—Mr. Cox is now in solitary confinement—Mr. Cox and other inmates had tried to notify the State Department before they called the station, but got no results; the department acknowledges it was told by an unidentified tipster that documents remained, but it says it somehow misunderstood and didn't go back to Lorton.

Finally, on Nov. 7 at about 5 p.m., Mr. Adams says he went to the prison and collected Mr. Cox's file, 31 pages of briefing materials for the secretary of state. He says he took them back to the station and went over them for a few hours, discussing them with Mrs. Endicott. They met again the next morning and decided to turn the files over to Sen. Charles Mathias (R., Md.) because, in Mrs. Endicott's words, he "is a member of the Foreign Relations Committee, he is cleared to read classified material and is in a position where he can provide oversight on security breakdowns."

That night, Mr. Adams went on the air to report the story of the security leak—not any news contained in the documents. Film was shown of him and Sen. Mathias arriving at the State Department to return the files. He also identified Mr. Cox as his source—he says at Mr. Cox's request. He says he feels "terrible" that Mr. Cox was thrown into solitary, and says the station is providing Mr. Cox with a lawyer. (The prison spokesman says Mr. Cox was put in solitary not for calling Mr. Adams, but because prison records were found in his cell during a search of the prison for more documents.)

Meanwhile, some other reporters feel terrible about what Mr. Adams did. "James is a decent general-assignment local television reporter, but he doesn't have expertise in this kind of stuff," moans another Washington TV reporter who says he "couldn't believe" Mr. Adams returned the documents.

Two of the country's best-known reporters—columnist Jack Anderson and Seymour Hersh, formerly of the New York Times and now author of a book on Henry Kissinger—say Mr. Adams should have consulted outside sources in the intelligence

community to determine what material would legitimately endanger the national security. "It has been my experience with classified documents that 90% of the information in them has more to do with political security than with national security," Mr. Anderson says.

Mr. Hersh adds: "Nobody says to publish the name of an agent—I find it hard to believe they even had one. But I would be very hard pressed to understand why anybody wouldn't want to publish the Nicaragua story. There's a legitimate issue there as to what is really going on. There's a dispute inside the intelligence community about some of the figures that have been thrown around the White House. I think it would be very important for us to get a look at how the Reagan administration is basing some of its judgment."

Robert MacNeil, of Public Broadcasting's "MacNeil-Lehrer News Hour," essentially agrees. Referring to the list Mrs. Endicott released of topics covered by the Lorton documents, he said, "All those things sound like the kind of information one would be very inclined to use, subject to considerations" about protecting the identities of agents and the lives of U.S. troops. And he added, "There isn't a journalist in the country who wouldn't agree that an awful lot more material is classified than needs be, and that the public would be better served by having less things secret than by having more things secret."

Two Deans Divide on Issue

The deans of the country's two leading journalism schools divide sharply on the issue. James Atwater, dean of the University of Missouri School of Journalism, the nation's oldest, says he would have sent the documents back to the State Department without even reading them. "I would feel like I was prying in some sense in an area I should not be involved in," he says, though adding, "It's a complicated ethical issue."

On the other hand, Dean Osborn Elliott of the Columbia University School of Journalism says, "A reporter's responsibility is to report. I can conceive of instances where the material is indeed so sensitive as to require great care in their publication. But I would feel impelled to publish them unless I found very strong reasons internally not to." He says the information about the Nicaraguan border and the Third World coup are likely candidates for publication, while the data on Soviet missiles "may be getting onto different ground."

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